

### **REMARKS**

In the above-mentioned, final Office Action, all of the pending claims, claims 33-65, were rejected. The claims were rejected under section 103(a) over the combination of Vialen and Jang. In the rejection, the Examiner acknowledged that Vialen fails to specifically disclose transitioning from a connected mode state to an idle mode state; and at least one member also corresponding to a cell which is not currently supporting the first connected mode state; and transitioning to an idle mode state. However, the Examiner relied upon Jang for disclosing these features.

The Applicant respectfully traverses the rejection of the claims. And, particularly, the Applicant traverses the Examiner's reliance upon Jang for disclosing the features acknowledged to be missing in the Vialen.

Jang appears to disclose a mobile communications network that includes base stations that send messages to mobile stations to control whether the mobile stations transition to an initialization state or/and idle state upon a call release (see e.g., the abstract of Jang).

Paragraph [0030] of Jang states that this is achieved by having mobile stations broadcast messages that include a RETURN\_TO\_IND indicator. The value of the indicator determines whether a mobile station transitions to an initialization state or to an idle state upon a call release.

Paragraph [0029] of Jang also states that, "the broadcast message including a RETURN\_TO\_IDLE\_IND indicator includes various cell information such as the carrier frequency to use the paging channel (PCH) information, the broadcast control channel (BCCCH) information, timing information, and so forth."

Neither these sections of Jang, has a teaching or suggestion of the claimed feature of identifying a candidate cell set, the candidate cell set members corresponding to umts-based cells, and at least one member also corresponding to a cell which is not currently supporting the first connected state, all as recited in independent claim 33.

Pages 14-19 of the subject patent application explains that the limitation of candidate cell set members corresponding to UMTS-based cells currently supporting the original connected state, in many circumstances, can be disadvantageous. The claimed invention addresses this limitation of the prior art.

As the inclusion of candidate cell members, in addition to UMTS-based cells supporting an original connected state is not disclosed by Jang or the Vialen, the Applicant asserts that claim 33 is not rendered obvious by Jang in combination with Vialen.

Claims 42, 51, and 59 are analogously believed to recite patentable subject matter for the same reasons as those just-given with respect to claim 33. Claims 42 and 59 include the feature of, "a processor...configured to...determine a candidate cell set, the candidate cell set members corresponding to umts-based cells and further comprising at least one member corresponding to a cell which is not currently supporting the [first] connected mode state". And, claim 51 refers to, "identifying a candidate cell set, the candidate cell set members corresponding to umts based cells, and at least one members also corresponding to a cell which is not currently supporting the first connected mode state".

As the remaining dependant claims include all of the limitation of their respective parent claims, these claims are believed to be patentably distinguishable over the cited combination of references for the same reasons as those given with respect to their parent claims.

In light of the foregoing, independent claims 33, 42, 51, and 59, as well as the remaining dependent claims, are believed to be in condition for allowance. Accordingly, reexamination and reconsideration for allowance of the claims is respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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